19 57

# File No. EVS 1257

Delhi-CSW

(R.H.B.C.)

I

DEPARTMENT

B. BRANCH

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B Class

Karnatak

Subject:— Evacuee Interest (Sepr) Act-

1951

P 24F

# File No. EVS 1257

Std. Scott. Slip

REHABILITATION DEPARTMENT
File No. EVS 1254
S. No. 28004
Date 20 JUL 1954

D.O.No.4537 of 1954.

Office of the Competent Officer,
Karnatak Division, Bhatkal, North Kanara,

15th July 1954.

Dear Shri Jain

Reference your Demi-Official Letter No.EVS 1254/25089-B dated 10th July 1954.

2. I note that Government has decided to close this Office by the end of September 1954. As desired by you, shall take every possible step in that direction.

3. The total number of cases adjudicated till to-day is 97 and 120 cases more remain yet to be adjudicated. The final work of separation of the Evacuees' interest from those of non-evacuees by sale etc. is not yet completed in 54 cases out of the 97 cases that have been already adjudicated.

4. Before adjudicating a case Individual Notices in Form "C" have to be served on all non-evacuees; after service of the Individual Notices a period of sixty days has to elapse before Notices in Form "F" are issued to respondents intimating the date for filing written statements and the date of hearing. A period of 3½ months has therefore necessarily to elapse after the service of Individual Notices till the cases come on for hearing. In about 30 cases Individual Notices are not yet served. Hence it will not be possible to adjudicate these 30 cases before the end of September next. I hope to complete the adjudication work in all the cases now pending in this office except these 30 cases by the end of September next.

5. Shri B.M.Ganjigatti has been appointed Assistant Custodian (Legal) to represent the Custodian of Evacuee Property in the cases before me under Government Notification, Revenue Department No.APT-1254/50200 dated 12th May 1954. He joined Office on 21st June 1954. But he has not yet received proper instructions and papers from the Deputy Custodians of all the Districts in this Division for drafting the written statements. There is much delay in filing the written statemen

on behalf of the Custodian of Evacuee Property in cases in which he has been served with notices in Form "F". I suggest that the Custodian of Evacuee Property, Bombay and the Deputy Custodians of Evacuee Property of Dharwar, Belgaum, Bijapur and Kanara Districts may kindly be requested to send instructions and papers to the Assistant Custodian (Legal) Shri B.M.Ganjigatti promptly in order to enable him to file written statements in time.

6. Most of the cases in this Division are from Kanara. I believe that claimants in 80 per cent of the cases from Kanara are willing and ready to purchase the Evacuee's share in the composite property at the value fixed by the Competent Officer, Selling the Evacuee's share to the non-evacuee claimants is the easiest and quickest way of separating Evacuee Interest from the interest of non-evacuees. However the Evacuee's share cannot be sold to the non-evacuee claimants unless the Custodian of Evacuee Property consents thereto. The Custodian of Evacuee Property, Bombay and the Deputy Custodian of Evacuee Property, Kanara, do not intimate their consent to the sale of Evacuee's share to non-evacuee claimants quickly after adjudication of the case. I, therefore, suggest that the Custodian of Evacuee Property, Bombay and the Deputy Custodian of Evacuee Property Kanara, may kindly be requested to intimate their consent to such sales of Evacuee's shares as early as possible after they receive the copies of the orders of adjudication from this Office. If they do not consent to the sale of Evacuee's share to the non-evacuee claimants at the prices determined by the Competent Officer, the lengthy procedure of either actual partition or sale of the entire composite property through the Sales Officers and the distribution of sale proceeds will have to be followed. Such procedure will take at least five months.

7. In my letter No.4316 dated 3rd July 1954, I reported to Government that the Executive Engineer, Public Works Department, Kanara, has recommended a monthly rent of Rs.49/- for the premises of this Office. As this Office is to be closed early it is necessary

to obtain Government's sanction for the rent of the Office premises as soon as possible. I shall be obliged if you will kindly expedite obtaining Government's sanction for the same.

8. Government sanctioned the hire of a type-writer for this Office upto 28th February 1954, the hire of certain articles of furniture upto 31st August 1954 and continuance of Permanent Advance upto 31st August 1954. As this Office is to be continued upto 30th September 1954 it is necessary to obtain Government's sanction to the continuance of the hire of the type-writer and articles of furniture and the continuance of the Permanent Advance upto 30th September 1954. So also it is necessary to obtain Government's sanction for payment of rent for the Office accommodation upto 30th September 1954. Hence I have written letter No.4532 of 1954 to-day to Government seeking sanction for all these purposes. I hope you will kindly give your attention to that letter and secure Government's sanction for all the subjects mentioned therein as early as possible.

9. In your above mentioned Demi-Official Letter nothing is stated about my posting after the closure of this Office. In the natural course I expect that after the closure of this Office I shall revert to the Judicial Department as a Civil Judge, Senior Division. If that be so, the High Court will have to be informed in good time to arrange my next posting after the closure of this Office. I am not informed whether Government has informed the High Court in the matter. If the Government has not done so, please let me know whether I may inform the High Court in the matter.

With best regards

Yours Sincerely

(M.M.Nadkarni)
Competent Officer, Karnatak Division.

To

Shri N.M.Jani, M.A.,
Assistant Secretary to the Government of Bombay,
Rehabilitation Department,
Secretariat (Annexe),
Fort, Bombay.

D.O No CUS/1254/28004-

Pers

5 AUG 1954

Dear Shri Nathani,

I refer to your D.O. letter No 4537, dtd the 15/7/54 regarding the closure of your office from 1/8/54 and the expeditious completion of work by that date.

2. The Collrs & Dy. Controllers of Customs are being requested to send necessary instructions and the relevant files to Shri R.M. Ganjizadeh A.C.E.P, Karwar promptly to enable him to file written statements in time.

3. As regards para 6 of your D.O letter, the matter has been referred to the C.B.I & A. for necessary action.

~~for issue of the necessary directions to the~~ Dy. Controllers concerned.

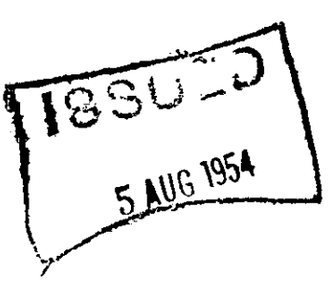
4. Your proposals regarding the payment of rent of the office premises and the entitlement of the hire of typewriters, articles of furniture etc are

under the consideration of Govt and necessary orders in the matter will be issued shortly after they are finalised.

Govt is actively considering the question of

your request for the abolition of the post of E.O, Karnataka Wn. Land Army. Orders in this matter will be issued shortly. In the case

Yours faithfully




for (V. M. Tami)

Shri M. M. Nanthanni, B.A., L.L.B.
E.O, Karnataka Wn.
Chatham.

W.O. No EVS 1254/25004-B

Delhi 5 AUG 1954

~~As you are aware~~ Shri M. M. Nadkarni has been appointed as C.O., Kanara Div. for the representation of the interest of the evacuees and un evacuees in composite properties. Govt has also sanctioned a post of Asstt. Controller at Dharwar to represent before the C.O. the Controller and ~~safeguard the interest of the~~ evacuees ~~from the un evacuees before the competent~~ officer. Shri B. M. Gunjigatti joined the office of the Asstt. Controller of Evacuee Property on 21/6/54. But he has not yet received proper instructions and relevant ~~pp~~ from your office for drafting the written statement. There is, therefore, much delay in filing the written statements on behalf of the CEP in cases in which he has been served with notice in Form 'I'

2. Govt has decided to close the office of the C.O., Karwar Div. from 1/x/54. It is, therefore, necessary to complete the work expeditiously. I would, therefore, ~~in view of this necessity expedition~~ request you to ~~send~~ instructions and relevant pp

to the Brit. Authorities of Common Wealth Relations to enable them to file written statement in time. If any special measures are necessary, may they be given them early.

ISSUED
5 AUG 1954

(N. M. Tiwari)
A.S.

To

Shri Pramod C Bhatt, BA, LLB.,
CCS, Simla.

Shri R. B Kulkarni IAS,
Cable & Wy. CCS, Kaumara

Shri H. T. Sadhasivam, I.A.S.,
Cable & Wy. CCS, Brijapura.

Shri Wy. Sinha, I.C.S.
Cable & Wy. CCS, Shamara.

Shri K. Y. Ramada IAS.
Cable & Wy. CCS, Bidyapura.

21/7/54

What about action on para 6 of WSM Have we replied to this WSM we do. Ack

D.O.No. CEP/CO/MISC.

OFFICE OF THE
CUSTODIAN OF EVACUEE PROPERTY,
Mercantile Bank Building, Fourth Floor,
Mahatma Gandhi Road, Fort, Bombay.
9th August, 1954.

Dear Shri Jani,

11/8/54

Your D.O.No.EVS.1254/28004-B, dated the 5th instant to hand.

It is surprising to find that the Asst. Custodian at Bhatkal complains about not having received any instructions and relevant papers from my office for drafting written statements. He wrote to me a letter dated 23rd June, 1954, which reached my office on 28th June, 1954, requesting me to send him instructions.

On 29th June,54, the very next day my Asst. Custodian sent to him full eight typed pages instructions in the matter as to what he is required to do, thereafter on 31.7.54, also further instructions were sent to him.

The cases in which written statements were required to be drafted, were also sent to him from time to time as soon as they were received from the Deputy Custodian.

In the circumstances, I am unable to understand the cause of the complaint of the Assistant Custodian at Bhatkal.

Yours Sincerely

(PRAMOD C. BHAT)

REHABILITATION DEPARTMENT
File No. 15/153
31120
Date 11 AUG 1954

Shri N.M.Jani,
Asst. Secretary to Govt. of Bombay,
Rehabilitation Department,
BOMBAY-1.

KGN.9.8.54.

D.O.No.DC/WS-IV/849

Office of the
District Magistrate, Belgaum.
Belgaum, 11 -8-1954

Dear Shri Jani,

1. Please refer to your D.O.No.EVS-1254/28004-B dated 5th instant. I find that my office was not informed that Shri ~~xxxx~~ Ganjigatti was appointed as Asstt.Custodian of Evacuee Property (legal) for representing the Collector and Deputy Custodian of Evacuee Property, Belgaum, before the Competent Officer, K.R. - Bhatkal and no instructions were received here regarding the ~~xxxx~~ procedure to be followed in filing written statements especially as to whether such statements were to be filed by the Asstt. Custodian of Evacuee Property, Bhatkal or by my office direct.

2. However in all cases in which notices in form 'F' were received from the Competent Officer written statements were filed by my office direct with the Competent Officer within the time given. There was no delay in filing such statements.

3. Recently in two cases the Asstt. Custodian of Evacuee Property, Bhatkal asked for instructions and information and the same was given to him promptly.

4. I may please be informed whether on receipt of the notices from the Competent Officer, Bhatkal, the written statements should be filed by me direct or whether all ~~the~~ the papers together with the notices should be forwarded to the Asstt.Custodian of Evacuee Property (Legal) Bhatkal for filing the statements and for representing the case.

Yours Sincerely
11/8

(K.A.Kembhavi)
(P.A. to Coll.)

To

Shri N.M.Jani, M.A.,
Asstt.Secretary to Government,
Rehabilitation Department,
Secretariat (Annexe) Bombay.
BOMBAY

REHABILITATION DEPARTMENT
File No. EVS 1254
S. No. 31830. B
Date 16 AUG 1954

REHABILITATION DEPARTMENT
File No. EOS 1284
S. No. 31672
Date 13 AUG 1954 13

4834

D.O.No. of 1954.
Office of the Competent Officer,
Karnatak Division, Bhatkal, North Kanara,
9th ~~5th~~ August 1954.

Dear Shri Jani

I have written letter No.4825 dated 9th August 1954 to Government to sanction expenditure of an extra sum of Rs.60/- on articles of Stationery for this Office and to indent from the Yeravda Prison Press certain Books and Forms in connection with the Civil Court Deposit Account of this Office. The articles of Stationery and the said Books and Forms are required urgently. I, therefore, hope that you will kindly arrange to obtain Government's approval for the same as early as possible.

2. I would also like to invite your kind attention to the matters referred to in paragraphs 7, 8 and 9 of my former D.O. Letter No.4537 dated 15th July 1954 addressed to you.

3. Unless Government informs the High Court by about the 20th instant about its decision to close down this Office at the end of September next, I may have to inform the High Court in the matter and solicit orders about my next posting as indicated in paragraph 9 of my abovesaid former D.O.Letter No.4537 dated 15th July 1954.

With best wishes

Yours sincerely
M.M.Nadkarni

(M.M.Nadkarni)
Competent Officer,
Karnatak Division.

28004-13

To

Shri N.M.Jani, M.A.,
Assistant Secretary to
the Government of Bombay,
Rehabilitation Department,
Secretariat (Annexe),
Fort : BOMBAY.

D.O.No.EVS1254/31830-B.
Rehabilitation Department,
Secretariat(Annexe), Fort
Bombay, 27 August, 1954.

Dear Shri Kembhavi,

Please refer to your demi-official letter No. DC/WS-IV/849, dated the 11th August, 1954 regarding the despatch of relevant papers with the instructions thereon, if any, to the Assistant Custodian of Evacuee Property, Bhatkal for drafting the written statements.

2. On receipt of the notices from the Competent Officer, Bhatkal, all the papers together with the notices should be forwarded to the Assistant Custodian of Evacuee Property, Bhatkal for filing the statements and for representing the case before the Competent Officer.

Yours sincerely,

( N.M.JANI )

Shri K.A.Kembhavi,
Personal Assistant to
the Collector of Belgaum,
BELGAUM.

27 AUG 1954

kvj.25/8

D.O.No.EVS1254/31672-B.
Rehabilitation Department
Secretariat(Annexe), Fort
Bombay, 27 August, 1954.

Dear Shri Nadkarni,

Please refer to your demi-official letter No.4884, dated the 9th August, 1954 regarding the supply of additional stationery and certain books and forms in connection with the Civil Court Deposit Account.

2. Your proposal is under the consideration of Government and necessary orders in the matter will be issued shortly.

3. As regards your next posting, I have already informed you in last para of my demi-official letter No.EVS1254/28004-B, dated the 5th August, 1954 that this question is already under consideration of Government. You need not, therefore, write to the High Court in the matter.

Yours sincerely,

27 AUG 1954

( N.M.JANI )
ASSISTANT SECRETARY TO GOVERNMENT.

To

Shri M.M.Nadkarni, B.A.,LL.B.,
Competent Officer, Karnatak Division,
Bhatkal.

kvj/25.8

EVS 1254
35300.
OCT 1954 B

D.O.No.525/ of 1954.
Office of the Competent Officer,
Karnatak Division, Bhatkal, North Kanara,
6th September 1954.

Dear Shri Jain

Reference : (1) Paragraph 4 of your D.O. Letter No.EVS 1254/28004-B dated 5th August 1954

(2) Paragraph 2 of your D.O. Letter No.EVS 1254/31672-B dated 27th August 1954.

The hire of a type-writer for this Office was sanctioned till 28th February 1954. The hire of certain articles of furniture for this Office was sanctioned till 31st August 1954. A permanent advance of Rs.20/- is sanctioned for this Office till 31st August 1954. But this Office is now to be continued till 30th September 1954. Hence in my letter No.4532 dated 15th July 1954, I requested sanction for the continuance of the hire of type-writer and articles of furniture and of the permanent advance till 30th September 1954. I referred to these matters in paragraph 8 of my D.O.Letter No.4537 dated 15th July 1954 addressed to you. In reply to that D.O.Letter you wrote your above mentioned D.O.Letter No.EVS 1254/28004-B dated 5th August 1954 wherein it was stated that these matters were under consideration of Government and that necessary orders would be issued shortly.

2. The above matters are of an urgent nature as this Office is to be closed at the end of this month. All payments on account of hire of type-writer and articles of furniture etc., will have to be made before this Office is finally wound up. All the records of this Office will have to be packed and transmitted to the Competent Officer, Bombay via Sirsi. For packing the records and sending the same to the Competent Officer, Bombay considerable amount will have to be spent out of the permanent advance in the fourth week of this month. For these reasons I hope th

you will kindly expedite obtaining orders of Government sanctioning the continuance of the hire of type-writer and articles of furniture and of the permanent advance till the end of this month.

3. In paragraphs 2 to 4 of my letter No.4825 dated 3th August 1954, I requested sanction for expenditure of an additional sum of Rs.60/- on articles of stationery for this office. As the work of this Office was being handicapped for want of stationery, articles of stationery worth about Rs.20/- have been already obtained on credit. In paragraph 1 of my D.O.letter No.4834 dated 9th August 1954, I referred to the necessity for additional expenditure on articles of stationery. In paragraph xx.2 of your D.O. letter No.EVS 1254/31672-B dated 27th August 1954 you stated that necessary orders in the matter would be issued shortly. I hope that you will kindly expedite obtaining necessary orders from Government on the subject.

4. In anticipation of sanction necessary expenditure will be incurred on the matters referred to above in this month.

Yours Sincerely

(M.M.Nadkarni)
Competent Officer,
Karnatak Division.

To

Shri N.M.Jani, M.A.,
Assistant Secretary to Government of Bombay,
Rehabilitation Department,
Secretariat (Annexe),
Fort - Bombay.

R 4 D/B

17/9 Please the ref the forgoing W.O. letter from the C.O, Karwatah Dn.

2. Orders sanctioning the continuance of the establishment of the C.O; Karwatah Dn till 30/9/54 has been issued in G.R, R45, No EVS 1054-B, dtd the 16/8/54. The C.O has, therefore, proposed the continuance of the hire of typewriter, permanent advance etc till that date. It has been decided to close the office of the C.O from 1/10/54. His proposals are considered below.

Purchase of Addl stationery Orders sanctioning the purchase of addl stationery locally for this office at a cost not exceeding Rs 60/- have already been issued vide Appdx 'A' in this Deptt's letter No EVS 3354/34471-B, dtd the 13/9/54.

Permanent Advance Sanction may be accorded to the continuance of the permanent advance of Rs 20/- from the 1/9/54 till 30/9/54. The continuance of the permanent advance of Rs 10/- till 31/5/54 was last sanctioned vide Appdx 'B' in G.L, R45, No EVS 1154/15711-B, dtd the 6/5/54. The F.D/A.G. may see n/o for convenience. In view of the urgency of the case, the A.G. may see n/c after issue

y the order....

Hire y furniture Sanction may also be accorded to the hire y the ~~following~~ articles/ y furniture from à ~~y~~ variation

the date y expiry y the sanction last accorded in

G.L, RHS, No EVS 3153/17531-B, dtd the 22/6/54 till 30/9/54 x Adjusted E

at the rates approved in G.L, RHS, No EVS 3153/25076-B, ~ Adjusted E

dtd the 12/7/54. The DD/AD may see no.

Hire y benches & a small table Sanction may also

be accorded to the continuance y the hire y two benches with arms and back and a small table from the date y expiry y the sanction last accorded in G.L, RHS, No EVS 3153/10677-B, dtd the 25/3/54 till 30/9/54 at the rates settled in consultation with the C.P.O, Rly. The DD/AD may see no. for concurrence. ° Adjusted E EVS 3154

Hire y typewriter Sanction may also be accorded to the continuance y the hire y typewriter from the date y expiry y the sanction last accorded in G.L, RHS, No EVS 2153/46712-B, dtd the 21/12/53 till 30/9/54 at a rate not ~~to~~ exceeding the prescribed rate y cost. The DD/AD may see no. for concurrence Adjusted F. EVS 2153

The expdr is debitable to '57-Misc-M-

expdr on Opns-H- expdr in connection with the

Administration of Evacuee Interest (Repayment) Act 1951 "
and will be met from the provision made thereunde
in the current yr's budget

As the office of the C.O, Karnataka Dn
is to be closed from 1/x/54, this case may be
marked to A.S (EVE) & Hs. (FD)

17/9/54.

(Hyderabad 'D')
15/9/54
18/9/54

DEPARTMENT
A.S

Ex. x intimation E.V.S 2153
QR 20/3/E EVS 3154 A.S (EVE) 21/9
83162 CPRS EVS 1154/157111-B
EVS 33/34471-D. As (FD)XF)
161393.P 21-9-54
2 pls returns

The R.H.D.'s proposals FD-IV in their
note above may be agreed to.
22/9/54
22/9/54
A.S (E)

22/9.

x intimation No. EVS 2153
" 3154
RHD EVS 1154/157111B
EVS 33/54471-D

EMIGRATION DEPARTMENT
File No. EVS 1154
37154
S. No.
Date 23 SEP 1954

Please see RHD
22/9/54

The DD/Ju Army agreed to the proposals,

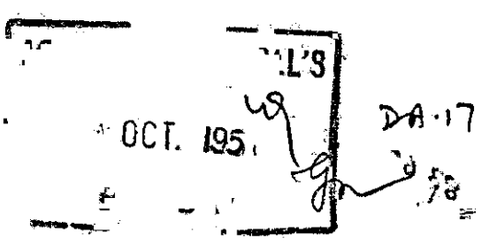
the attached draft letter is issued.

After issue the Pr may be informed

to Ag as proposed in A' y 6a/1 dtd the 17/9/49

A
9/9/49

27/9




U.O.R to D. G., R Y, dtd the 29/9/49

with the min GEN 115/15711-18

4/15.

DA·17

D.A.17/U.O.R.
59(a)

30/9/54 at the rates appended in G.L. Rly, No EVS 3153/5076-B, dtd the 12/7/54

| S No | Articles | Quantity |
|---|---|---|
| 1 | Officer's table | 1 |
| 2 | Officer's chair | 1 |
| 3 | Clerks' tables | 6 |
| 4 | Chairs for the staff & visitors | 12 |
| 5 | Stools for guests | 2 |
| 6 | Cupboard | 2 |
| 7 | Coffee urn | 1 |
| 8 | File racks | 3 |

4. Grant is also pleased to accord sanction to the continuance of the hire of two benches with arms and backs and a small table from the date of expiry of the sanction last accorded in G.L. Rly, No EVS 3153/10637-B, dtd the 25/3/54 till 30/9/54 at the rates ~~settled~~ fixed in consultation with the C.P.O, B'bay.

5. Grant is also pleased to accord sanction to the continuance of the hire of a typewriter from the date of expiry of the sanction last accorded in G.L. Rly, No EVS 3153/4671-B, dtd the 21/12/53 till 30/9/54

on a scale not exceeding prescribed rate "of

Govt.

The expdr. should be debited to "57- Misc

M. expdr. on Depr. H. E expdr. in connection with the

Administration of Evacuee Interest (Requisition) Act, 1951" and

met from the provision made thereunder in the current

yr's budget.

ISSUED
27 SEP 1954

Copy for info to—

The C.O., R'lay.

The H.C., R'lay (through the FA) } with CC
The FA - - - - - - - } slips
The WW - - - - - - - }

A.G's office,Bombay.

Seen and returned with compliments to the Secretary to the Government of Bombay Rehabilitation Department.

2. A copy of the orders sanctioning continuance of P.A. upto 30-9-54 may please be sent to Examiner,O.A.D. also.

18/10/54

A.A.G.

REHABILITATION DEPARTMENT
File No. EVS1154
Z. No. 40961
Date 20 OCT 1954

U.O.R. to the Govt. of Bombay,Rehabilitation Deptt. Bombay.
NO.DAXVII Misc/PA/4071.Dt. Oct.1954

18 OCT 1954

Shri D
20/10

RHD/62

The orders referred to in para 2 of the forgoing A.G.'s letter were communicated to the Examiner, O.A.D.

2. The loan file No. EVS1154/15711-B, forwarded with this Deptt's U.O. No. EVS1154/37154, dtd the 29/9/54. have not been returned by the A.G. with the above U.O.R. After issue, the A.G. may be requested to return the file.

29/10/54

U.O.R. to A.G., dtd 7th

Resubmitted

The ppr in question have since been

returned by A. G. under No. WH/2011/Misc/B.A/422 V, & kept in abeyance

for the time being

There ppr may now be filed

Con
Shilling.

10/11/37

No.EVS 1254/40961-B.
Rehabilitation Department.
Secretariat(Annexe), Fort.
Bombay(1) November 1954.

5 NOV 1954

Subject:- Permanent Advance, Hire of typewriters,etc.
Continuance of.....

MEMORANDUM.

The undersigned presents compliments to the Examiner, Outside Audit Department, and is directed to forward a copy of Government letter, Rehabilitation Department, No.EVS 1254/35300-B, dated the 27th September 1954, addressed to the ex-Competent Officer, Karnatak Division.

By order and in the name of the
Governor of Bombay,

(N.M.JANI).
Assistant Secretary to the Government of Bombay,
Rehabilitation Department

fred/112.

ISSUED
5 NOV 1954